



**BUILDING AND STANDARDS COMMISSION
MINUTES**

REGULAR
Date: May 27, 2015

The Building and Standards Commission convened for a regular meeting on May 27, 2015, at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin Texas.

Commission Members in Attendance: David Brown, Chair; Steven Alloway, Vice Chair; Charles Cloutman; Wordy Thompson; Jessica Mangrum (recused) and Melissa Orren.

Staff in Attendance: Christopher Moore - Building & Standards Commission Coordinator; Marcus Elliott - Division Manager, Austin Code; Patricia Link - Assistant City Attorney; Daniel Cardenas - Assistant Director, Austin Code Department; Merlinda Coleman - Program Specialist Legal Operations; Matthew Noriega - Assistant Division Manager, Commercial Multi-Family Team; Steve Oswalt - Code Officer; Chris Maldonado, Code Officer.

CALL TO ORDER

David Brown, chair, called the Commission Meeting to order at 6:30 p.m.

1. CITIZEN COMMUNICATION: GENERAL

Nick Bhakta, representative of the property located 7800 East Riverside. Mr. Bhakta requested the demolition order be lifted. Mr. Bhakta provided copies of reports to leave for the Commission.

The chair advised this was not on agenda so no decision could be made, but suggested documents be left for staff.

2. PUBLIC HEARINGS

A. 4801 S. Congress Avenue:

**CL-2014-019420 Building A; CL-2015-019433 Building B;
CL-2015-019442 Building C; CL-2015-018340 Building D;
CL-2015-019128 Building E; CL-2015-019302 Building F;
CL-2015-019494 Building G; CL-2015-019509 Building H;
CL-2015-019560 Building J; CL-2015-019585 Building K;
CL-2015-019584 Building L; CL-2015-019612 Building N;
CL-2015-019636 Building P; CL-2015-019301 Building Q;
CL-2015-019675 Building R; CL-2015-019693 Building S;
CL-2015-019747 Building T**

4801 S. Congress Avenue, aka Bel Air Condominiums or Bel Air Lofts, is a 17-building, 83-unit condominium complex built in 2006. The property was represented by Matthew Pearson and Michelle Bartley, attorneys, and Emily Crowe, president of HOA. Code Officer assigned is Steven Oswalt.

The city of Austin's Code Department found this property is in violation of International Property Maintenance Code, adopted by reference, in Sections 25-12-211, et seq., of the Austin City Code and is therefore a public and attractive nuisance with dangerous and substandard conditions.

Staff recommended the following to the Commission: The Commission admit exhibits 1,2, 3, 4A through 4M, previously admitted, and exhibits 5, 6, and 7A-7F, adopt the proposed findings of fact and conclusion of law for 4801 S. Congress Avenue and to issue an order that requires the property owner or property owner's representative to secure all necessary permits; correct and complete the temporary shoring as described in the updated engineer's report within 90 days from the date the order is mailed to the owner; order all repairs and modifications to meet or exceed the requirements of all applicable codes; order the owner or owners' representative to request inspection and verify compliance. After 89days, a penalty of \$10 per unit per week per building (per amendments) shall be assessed until work is completed with final inspections passed.

If compliance is not achieved within 89 days, the Code Official may proceed with compliance to vacate, secure, remove or demolish the building or relocated the occupants and a lien for all expenses will be filed at the Travis County dead records.

Chair Brown admitted the exhibits and photographs.

Commissioner Cloutman made a motion to adopt the findings of fact and conclusions of law staff's recommended order with the exception and recommended another amendment to \$10 per month per unit with the conclusion of ongoing inspections by Code during this temporary shoring and the conclusion letter from the structural engineer that the property is temporarily up to its design factor regarding live load and dead load to affirm safety is assured. Commissioner Orren seconded. Vote was taken; motion passed unanimously.

3. BRIEFING, DISCUSSION AND POSSIBLE ACTION

A. A special called meeting will be held on June 17 at One Texas Center at 7:00 p.m.

4. FUTURE AGENDA ITEMS

A. Returning cases will be placed on future agenda, i.e., 7800 East Riverside.

B. Approval of minutes of March, 2015 meeting.

ADJOURNMENT

With motion made by Commissioner Cloutman, seconded by Commissioner Orren and no dissent, the Commission meeting was adjourned by the Chair at 7:50 p.m.